

STATE OF OHIO)
)
COUNTY OF CUYAHOGA)

COURT OF COMMON PLEAS
CRIMINAL DIVISION

SEARCH WARRANT

To: **CHIEF OF POLICE OF THE CLEVELAND POLICE DEPARTMENT AND/OR
DETECTIVE RAUL ATANACIO, BADGE #1652, A MEMBER OF SAID
DEPARTMENT, AND/OR ANY LAW ENFORCEMENT OFFICERS AS AUTHORIZED.**

WHEREAS there has been filed with me an affidavit, a copy of which is attached hereto, designated as Exhibit A, and incorporated herein as though fully rewritten, wherein the Affiant avers that he believes and has good cause to believe that within a cellular telephone described as:

- Apple iPhone, 6S, Model Number MKQM2VC/A, Serial No. FK1QLS0YGRY8

This cellular phone was obtained from **CHI** who provided consent to search the phone. Said cellular phone is currently in the possession of the Cleveland Police Department, Cleveland, Cuyahoga County, Ohio. And within said phone there is now being unlawfully kept, concealed, and possessed the following:

Any and all electronic data relating to sexual conduct/contact between **CHIL** and Jared Drake Bell, and including communications with Bell's now-wife, Janet Von; Said electronic data shall include, but not be limited to, any personal communications, opened and unopened e-mail messages, instant messages (IM), text messages, text mailings, letters, and other electronic records, documents, correspondence stored and/or exchanged in electronic form, notes, memoranda, address lists, telephone directories, screen name lists, buddy lists, telexes, faxes, audio and visual tape recordings, materials or items reflecting or relating in any way to communications or contacts between any individuals, and any juvenile or any other person; all photographs and/or images stored and/or exchanged by any individuals in electronic form including but not limited to text messaging and/or text mailing; any and all photographs, electronic images, video images, photos of criminal activity, and other evidence of criminal intent; electronic data tending to establish the identity of persons in control of the cell phone, and/or ownership of the cell phone, and/or use of the cell phone and/or purchase of the cell phone; and/or any and all other evidence tending to

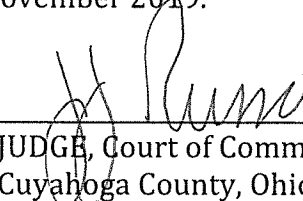
establish violation of the criminal laws of the State of Ohio, to wit: Unlawful Sexual Conduct with a Minor, R.C. 2907.04.

I am satisfied that there is probable cause to believe that the above described electronic data is being concealed within the above-described cellular telephone, and that grounds for issuance of this search warrant exist.

THEREFORE: You are hereby commanded in the name of the State of Ohio, with the necessary and proper assistance, to serve this warrant and search the above-described cellular telephone forthwith for the property specified, and if the electronic data or any part thereof be found there, you are commanded to seize it, leaving a copy of this warrant and a receipt for the property taken, to prepare a written inventory of the property seized, to return this warrant to the undersigned or any Judge of the Court of Common Pleas, and to bring the property found on such search forthwith before said Judge, or some other judge or magistrate of the county having cognizance thereof. You are further commanded that you may make necessary repairs in order to facilitate a search of the phone, including but not limited to repairing the cracked screen and/or fixing the damaged charging port.

Pursuant to Crim. R. 45, the three-day period of time to execute the warrant under Crim. R. 41 is waived for good cause shown. The cell phone to be searched was taken as evidence as part of a criminal investigation and it is expected that completion of forensic analysis would exceed three days. The search shall be executed within three hundred and sixty-five days of the date herein and any analysis may be performed thereafter.

Given my hand this 19th day of November 2019.


JUDGE, Court of Common Pleas
Cuyahoga County, Ohio

11/19/19

EXHIBIT A

STATE OF OHIO	)	COURT OF COMMON PLEAS
	)	CRIMINAL DIVISION
COUNTY OF CUYAHOGA	)	

AFFIDAVIT FOR SEARCH WARRANT

Before me, a Judge of the Court of Common Pleas, Cuyahoga County, Ohio, personally appeared the undersigned Detective Raul Atanacio, Badge #1652, of the Cleveland Police Department, who being first duly sworn, deposes and states that he has been a member of the Cleveland Police Department for the past twelve years with the past fourteen months as a detective. Affiant is currently assigned to the Sex Crimes Unit. Affiant has training and experience in the investigation of major felonies including unlawful sexual conduct with a minor and has experience executing search warrants.

Affiant avers that he believes and has good cause to believe that within a cellular telephone described as:

- Apple iPhone, 6S, Model Number MKQM2VC/A, Serial No. FK1QLS0YGRY8

This cellular phone was obtained from S.G. who provided consent to search the phone. Said cellular phone is currently in the possession of the Cleveland Police Department, Cleveland, Cuyahoga County, Ohio. And within said phone there is now being unlawfully kept, concealed, and possessed the following:

Any and all electronic data relating to sexual conduct/contact between CHIL and Jared Drake Bell, and including communications with Bell's now-wife, Janet Von; Said electronic data shall include, but not be limited to, any personal communications, opened and unopened e-mail messages, instant messages (IM), text messages, text mailings, letters, and other electronic records, documents, correspondence stored and/or exchanged in electronic form, notes, memoranda, address lists, telephone directories, screen name lists, buddy lists, telexes, faxes, audio and visual tape recordings, materials or items reflecting or relating in any way to communications or contacts between any individuals, and any juvenile or any other person; all

photographs and/or images stored and/or exchanged by any individuals in electronic form including but not limited to text messaging and/or text mailing; any and all photographs, electronic images, video images, photos of criminal activity, and other evidence of criminal intent; electronic data tending to establish the identity of persons in control of the cell phone, and/or ownership of the cell phone, and/or use of the cell phone and/or purchase of the cell phone; and/or any and all other evidence tending to establish violation of the criminal laws of the State of Ohio, to wit: Unlawful Sexual Conduct with a Minor, R.C. 2907.04.

The facts upon which affiant bases such beliefs are as follows:

1. Affiant avers that on October 24, 2018, Cleveland Police Department was contacted by the York Regional Police in Canada about a report of unlawful sexual conduct with a minor. Affiant avers that they completed an investigation involving [CHI] CHILD AB/NEG INFO [CHI] CHILD AB/NEG INFO and Jared Drake Bell (aka "Drake Bell"), dob 6/27/86. Bell was thirty-one years old at the time of the incident(s) described below.
2. Affiant avers that [CH] resides in Canada along with many of the witnesses in this investigation and that Jared Drake Bell resides in California. Affiant avers that [CHIL] made an initial disclosure to two juvenile friends and then to her parents who then notified the police.
3. Affiant avers that he reviewed the investigation and reports from the York Regional Police which included audio and video recordings of the various witnesses. Affiant avers that, according to the reports, [CHI] RAPE/SEXUAL INFO [RAPE/] while both [CH] and Jared Drake Bell were in Cleveland, Cuyahoga County, Ohio. Affiant avers that within the last month he received S.G.'s cellular telephone from the York Regional Police, which is more fully described as an Apple iPhone, 6S, Model Number MKQM2VC/A, Serial No. FK1QLS0YGRY8 ("cell phone"). S.G. consented to a search of her phone.
4. Affiant avers that Bell is a music performer. Affiant avers that [CHI] informed police that her aunt, [CHILD AB/NEG], took her to Bell's concerts at different locations in the United States beginning in Syracuse, NY in 2016. Affiant avers that, according to the investigation, [CHILD] has a friend named Darlene Richards who is friends with Kathy Kautz who knows Bell's mother and that Richards was able to facilitate the meetings with [CHILD], and Bell.
5. Affiant avers that, according to [C], Bell sent her pictures of his bare stomach in 2016 and she exchanged pictures of herself. Affiant avers that, according to [CHI] some of the pictures included [CHI] in minimal clothing. Affiant avers that, according to [CHILD] their "sexting" continued to escalate over time.
6. Affiant avers that in October 2017, [CH] went with [CHILD] to see Bell perform in Chicago, Illinois. Affiant avers that according to [CHILD] was driving with Bell and

S.G. seated in the back seat. Affiant avers that [CH] informed officers that Bell [RAPE/SEXU

[RAPE/SEXUAL INFO]

7. Affiant avers that on December 1, 2017, [CH] went with [CHILD], Richards, and Kathy to a preshow at the Odeon Concert Club. At some point before the concert, Bell took [CH] back to his dressing room [RAPE/SEXUAL INFO]

[RAPE/SEXUAL INFO]

8. Affiant avers that, based on [CHIL] description, [CH] described a room known as a green room and/or dressing room at The Odeon Concert Club. Affiant avers that The Odeon Concert Club is located at 1295 Old River Rd., Cleveland, Cuyahoga County, Ohio.

9. Affiant avers that on December 2, 2017, [CHILD], along with Darlene Richards, accompanied [CH] to say goodbye to Bell at the Aloft Hotel in Cleveland, Ohio. Affiant avers that he learned that Bell was staying in room 626 at the hotel. According to [CHIL] [RAPE/SEXUAL INFO] [CHILD] and Richards waited outside in the hallway of the hotel. According to [CH], Bell [RAPE/SEXUAL INFO]

[RAPE/SEXUAL INFO]

10. Affiant avers that on December 2, 2017, [CHILD] told [CH] she had a surprise for her. [CHILD] then presented [CH] with a 16th birthday card that contains a note and signature from Bell. Affiant avers that he has two photographs of the card. Affiant avers that [CHIL] birthday is January 29, 2002 so [CH] [CHILD AB/NEG INFO] at the time. Affiant avers that the York Regional Police in Canada took possession of the birthday card as evidence which has since been delivered to Affiant. The birthday card is now in evidence with the Cleveland Police Department.

11. Affiant avers that [CH] consented to the acts but afterwards felt that it was wrong as Bell was significantly older than her. [CH] stated that the last time she saw Bell was in June 2018.

12. Affiant avers that he has spoken to [CH] over the phone regarding this investigation. Affiant avers that [CH] provided her Instagram accounts as "[CHILD AB/NEG INFO]" and "[CHILD AB/NEG INFO]." Affiant avers that [CH] stated that she spoke with Bell and Bell's girlfriend via Instagram. Affiant avers that [CH] identified Bell's Instagram account as "drakebell." [CH] stated that she told Bell's girlfriend (Janet) about the sexual acts through Instagram. [CH] stated that Janet was extremely upset and wanted to know if and when she [CH] was going to notify authorities and make a report.

13. Affiant avers that [CH] stated she confronted Bell about the sexual acts. Bell stated that he was sorry and asked if they could continue to be friends. Bell also asked [CHI] "what can I do?" and "don't hate me." Bell noted that [CH] "already told Janet" what happened. Bell did not specifically admit anything. Affiant avers that he has screenshot photographs of the Instagram messages that were taken of [CHI]'s phone by the York Regional Police.
14. Affiant avers that Bell's girlfriend has been identified as Janet Von. Affiant avers that Von's Instagram account name is "planetjanettv." Affiant avers that he has made a preservation request with Instagram for Von's account and the case number is 3101074.
15. Affiant avers that he previously obtained a search warrant for the Instagram records from [CHIL], Bell, and Von. Affiant has obtained the records, which contain communications between S.G. and Bell and S.G. and Von. Affiant avers that the records include [CH] discussing with Bell and Von [RAPE/SEXUAL INFO]
16. Affiant avers that he obtained SnapChat records for Bell and for [CH]. Affiant avers that there were no relevant records for Bell, but that [CHIL] records showed additional pictures and communications with Bell.
17. Affiant avers that Bell has retained attorney Ian Friedman, and that Affiant and Assistant Prosecutor Jennifer Driscoll met with Attorney Friedman on October 25, 2019. Affiant avers that Attorney Friedman stated he will follow-up with Bell and be in touch with Affiant.
18. Affiant avers that it is necessary to search the data on [CHIL AB/NE] cellular phone for communications and/or photographs between her, Bell, and Von.
19. Affiant avers that it is necessary to search the above-described cell phone for any personal communications including but not limited to opened and unopened e-mail messages, instant messages (IM), text messages, letters, and other electronic records, documents, correspondence stored and/or exchanged in electronic form, notes, memoranda, address lists, telephone directories, screen name lists, buddy lists, advertisements, faxes, audio and visual tape recordings, materials or items reflecting or relating in any way to communications or contacts between [CHI] Bell, and Von.
20. Based on these facts, Affiant avers that he has probable cause to believe, and does believe, that the above-described electronic data will be found within the above-described cellular telephone. Affiant has consulted with forensically trained law enforcement and learned that data may still be obtained despite a missing SIM card.
21. Affiant avers that he will contact and consult with law enforcement, and technical experts for the necessary and proper assistance regarding the process to safely view,

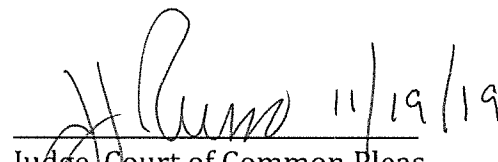
download, preserve and/or record the electronic data contained within the above-described cellular telephone.

22. Affiant avers that he is aware that seizing stored communications may implicate privacy rights, which Congress believed important enough to protect under the Electronic Communication Privacy Act (ECPA), specifically 18 U.S.C. 2703. Such material is further protected by Ohio Revised Code 2933.51, *et. seq.* In executing this warrant, it is possible that such communications may be seized, along with other material encompassed in the warrant.
23. Affiant avers that in Affiant's training and experience, forensic examination of phones often takes more than three days to complete. Therefore, Affiant asks this Court pursuant to Crim.R. 45 to waive the requirement under Crim.R. 41 that this warrant be executed within three days. Affiant knows that forensic examination of I-Phones utilizing six-digit passcodes require even greater time and skill to result in extraction. In Affiant's experience, some cases take several months to bypass security measures and access data. Therefore, Affiant requests that Affiant be permitted three hundred sixty-five days to complete extraction.

FURTHER AFFIANT SAYETH NAUGHT.


Detective Atanacio
Cleveland Police Department

Sworn to before me and subscribed in my presence this 19th day of November 2019.


Judge, Court of Common Pleas
Cuyahoga County, Ohio

Redaction Log

Total Number of Redactions in Document: 67

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
3	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	1
4	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	16
4	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	2
5	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	28
5	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	7
6	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	10

Redaction Log

Page	Reason	Description	Occurrences
6	RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	1(2) 3(1) 4(16) 5(28) 6(10)
RAPE/SEXUAL INFO	The intimate details of an alleged rape and/or private sexual information have been redacted pursuant to Bloch v. Ribar, 156 F.3d 673 (1998), and Lambert v. Hartman, 517 F.3d 433 (2008).	4(2) 5(7) 6(1)

Redaction Log

Total Number of Redactions in Document: 3

Redaction Reasons by Page

Page	Reason	Description	Occurrences
4	CHILD AB/NEG INFO	Identifying information of the child abuse/neglect victim(s) and the reporter(s) of the abuse/neglect; and the child abuse/neglect initial abuse report; have been redacted pursuant to O.R.C. 2151.421(I)(1) and (2); and Beacon Journal v. Akron, 104 Ohio St. 3d 399, 2004-Ohio-6557.	2
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Redaction Log

Redaction Reasons by Exemption

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